

REMARKS

This amendment is submitted in response to the Final Office Action dated March 3, 2008. Reconsideration and allowance of the claims are requested. In this Final Office Action, claims 7-8, 9 and 11-12 are rejected as being indefinite. Claims 7, 9, and 11 have been amended to eliminate this issue.

Claim 1 is rejected under 35 U.S.C. 103(a) as unpatentable over Hvostov (U.S. 2003/0039211) in view of Nishimaki (U.S. 6,810,433). Claims 7-9 and 11-12 are rejected under 35 U.S.C. 102(e) as unpatentable over Hvostov in view of Flynn (U.S. 5,155,854). Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as unpatentable over Hvostov in view of Nishimaki and further in view of Pitot (U.S. 5,375,208).

The Examiner acknowledges that in the previous Office Action response, a declaration under 35 U.S.C. §1.131 was submitted to establish that the claimed invention was conceived prior to the filing date of Hvostov '211. The Examiner, however, asked for exhibits to support the declaration. Thereafter, exhibits were forwarded and Applicant and the Examiner discussed the declaration. The Examiner then asked for a comparison of the teachings and disclosure in the exhibits relative to the pending claims. Applicant submits herewith a comparison of exhibit A, which is the original invention disclosure in the subject application, to all the pending claims. Specifically, portions of the invention disclosure have been placed in brackets and marked with letters between A and P. The corresponding elements of the claims have been similarly marked with brackets beginning and ending each limitation and a corresponding letter. It is immediately apparent that there is complete correspondence between the invention disclosure, which the inventor has sworn was submitted in advance of the publication date of the reference, and the claim limitations.

Therefore, consideration of this additional evidence and disqualification of Hvostov as prior art is respectfully requested.

Respectfully submitted,



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